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OFFICE OF PETITIONS

In re Application of	:	
Thomas R. Cech, et al.	:	
Application No. 10/044,692	:	ON PETITION
Filed: January 11, 2002	:	
Attorney Docket No. 015389-002640US	:	

This is a decision on the petition under 37 CFR 1.137(b), filed November 10, 2005, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed April 21, 2005, which set a shortened statutory period for reply of three (3) months. A two-months extension of time under the provisions of 37 CFR 1.136(a) was obtained. Accordingly, the application became abandoned on September 22, 2005.

The Notice of Appeal filed on September 20, 2005 was improper. Accordingly, the Notice of Appeal will not be entered and the fee submitted with the Notice of Appeal will be refunded to applicant's deposit account.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail future correspondence solely to the address of record.

The petition satisfies the requirement of 37 CFR 1.137 (b) in that petitioner has supplied (1) the reply in the form of an Amendment; (2) the petition fee of \$1500; and (3) the required statement of unintentional delay have been received. Accordingly, the petition filed November 10, 2005 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3229.

The application matter is being referred to Technology Center 1600, Art Unit 1642 for further processing.

A handwritten signature in cursive script that reads "Retta Williams".

Retta Williams
Petitions Examiner
Office of Petitions

cc: J. Michael Schiff
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